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# **NOTICE OF ALLOWANCE AND FEE(S) DUE**

23117 7590 12/16/2009

NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203

SING, SIMON P

ART UNIT PAPER NUMBER

2614 DATE MAILED: 12/16/2009

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/581,997	06/07/2006	David J. Clift	36-1991	1868	
ΩΤΩΣΕ ΔΕ ΙΝΙΧΕΝΤΩΝΙ, CONDUCTOR ATIONS (NOTEN WITH DIDECT A COESS MAIL DOX					

TTLE OF INVENTION: COMMUNICATIONS SYSTEM WITH DIRECT ACCESS MAILBOX

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$O	\$1810	03/16/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. <u>PROSECUTION ON THE MERITS IS CLOSED</u>. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN <u>THREE</u> <u>MONTHS</u> FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. <u>THIS</u> STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

#### HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:	If the SMALL ENTITY is shown as NO:
A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.	A. Pay TOTAL FEE(S) DUE shown above, or
B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or	B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

#### PART B - FEE(S) TRANSMITTAL

# Complete and send this form, together with applicable fee(s), to: <u>Mail</u> Mail Stop ISSUE FEE Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 or <u>Fax</u> (571)-273-2885

INSTRUCTIONS: This appropriate. All further indicated unless correct maintenance fee notifica	form should be used for correspondence including debelow or directed oth tions.	or transmitting the ISSU ag the Patent, advance or herwise in Block 1, by (a	JE FEE and PUBLICATI rders and notification of r a) specifying a new corres	ON FEE (if requinaintenance fees warpondence address;	ired). Blocks 1 through 5 vill be mailed to the curren and/or (b) indicating a se	should be completed where nt correspondence address as parate "FEE ADDRESS" for	
CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)				Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.			
	7590 12/16 NDERHYE, PC LEBE ROAD, 11TH VA 22203			Cer	tificate of Mailing or Trai		
						(Depositor's name)	
						(Signature)	
						(Date)	
APPLICATION NO.	FILING DATE		FIRST NAMED INVENTOR		ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/581,997	06/07/2006		David J. Clift		36-1991	1868	
TITLE OF INVENTION	J: COMMUNICATIONS	SYSTEM WITH DIREC	CT ACCESS MAILBOX				
APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSU	E FEE TOTAL FEE(S) DU	E DATE DUE	
nonprovisional	NO	\$1510	\$300	\$0	\$1810	03/16/2010	
EXAM	AINER	ART UNIT	CLASS-SUBCLASS				
SING, S	SIMON P	2614	379-088250				
CFR 1.363). <sup>1</sup> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <sup>1</sup> The Address form PTO/SB/122) attached. <sup>2</sup> The Address form PTO/SB/122) attached. <sup>1</sup> The Address form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. <sup>1</sup> The Address form PTO/SB/122) attached. <sup>2</sup> The Address form PTO/SB/122) attached. <sup>1</sup> Address form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. <sup>1</sup> The Address form PTO/SB/122) attached. <sup>2</sup> The Address form PTO/SB/122) attached. <sup>1</sup> Address form PTO/SB/47; Rev 03-02 or							
Please check the appropriate the propriet of t	riate assignee category or	categories (will not be pr	rinted on the patent) :	Individual 🗖 Co	prporation or other private g	roup entity Government	
<ul> <li>4a. The following fee(s) are submitted:</li> <li>Issue Fee</li> <li>Publication Fee (No small entity discount permitted)</li> <li>Advance Order - # of Copies</li></ul>			<ul> <li>4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)</li> <li>A check is enclosed.</li> <li>Payment by credit card. Form PTO-2038 is attached.</li> <li>The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number (enclose an extra copy of this form).</li> </ul>				
5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).							
NOTE: The Issue Fee an interest as shown by the	nd Publication Fee (if req records of the United Sta	uired) will not be accepted tes Patent and Trademark	d from anyone other than t Office.	he applicant; a regi	stered attorney or agent; or	the assignee or other party in	
Authorized Signature     Date							
Typed or printed name				Registration N	lo		
an application. Confiden submitting the complete this form and/or suggest	ntiality is governed by 35 d application form to the ions for reducing this bu Virginia 22313-1450. DO	U.S.C. 122 and 37 CFR USPTO. Time will vary rden, should be sent to th	1.14. This collection is est depending upon the indiv e Chief Information Office	imated to take 12 r idual case. Any co er. U.S. Patent and	minutes to complete, includ omments on the amount of Trademark Office, U.S. De	nd by the USPTO to process) ing gathering, preparing, and time you require to complete partment of Commerce, P.O. r for Patents, P.O. Box 1450,	

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UNITED STATES PATENT AND TRADEMARK OFFICE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov							
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NIXON & VANDERHYE, PC 901 NORTH GLEBE ROAD, 11TH FLOOR ARLINGTON, VA 22203			SING, SIMON P				
			ART UNIT	PAPER NUMBER			
			2614 DATE MAILED: 12/16/200	9			

# Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 862 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 862 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

		<b>A H</b> (4)				
	Application No.	ation No. Applicant(s)				
Notice of Allowability	10/581,997	CLIFT ET AL.				
Notice of Allowability	Examiner	Art Unit				
	SIMON SING	2614				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.						
1. 🔀 This communication is responsive to <u>Preliminary Amendment filed on 06/07/2006</u> .						
2. 🔀 The allowed claim(s) is/are <u>19-34</u> .						
<ul> <li>3. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a) All b) □ Some* c) □ None of the: <ol> <li>Certified copies of the priority documents have been received.</li> <li>Certified copies of the priority documents have been received in Application No</li> <li>Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).</li> </ol> </li> <li>* Certified copies not received:</li> </ul>						
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.						
4. A SUBSTITUTE OATH OR DECLARATION must be subm INFORMAL PATENT APPLICATION (PTO-152) which give			IOTICE OF			
<ul> <li>5. CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.</li> <li>(a) including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached</li> <li>1) hereto or 2) to Paper No./Mail Date</li> <li>(b) including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date</li> <li>Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).</li> </ul>						
6. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.						
<ul> <li>Attachment(s)</li> <li>1.  Notice of References Cited (PTO-892)</li> <li>2.  Notice of Draftperson's Patent Drawing Review (PTO-948)</li> <li>3.  Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date 07/18/2006</li> <li>4.  Examiner's Comment Regarding Requirement for Deposit of Biological Material</li> <li>/Simon Sing/</li> </ul>	5. ☐ Notice of Informal P 6. ☐ Interview Summary Paper No./Mail Dat 7. ☐ Examiner's Amendr 8. ⊠ Examiner's Stateme 9. ☐ Other	(PTO-413), e nent/Comment	owance			
Primary Examiner, Art Unit 2614						
LLS. Dotont and Tradomark Office						

## **DETAILED ACTION**

### Allowable Subject Matter

Claims 19-34 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record fails to teach authenticating a caller who attempts to directly access a called party's multimedia (or unified) mailbox to deposit a multimedia message, wherein authenticating is by accessing a store (database) associated with the called party to determine if the caller is a party who has previously received a communication from the called party.

The closest prior art of Paxson (US 6,327,344) teaches enable a caller to directly access a called party's voice mailbox to deposit a voice message. Paxson teaches that the caller uses an access code to enter the voice mailbox. Paxson fails to teach determining, from a database or a called party's profile, if the caller is a party who has previously received a communication from the called party in order to allow the caller to directly access the voice mailbox.

## Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure of direct mailbox access.

- a) Paxson US 6,327,344 (column 6, lines 50-60).
- b) Polcyn US 5,699,412 (column 5, lines 43-52).
- c) Batholomew et al. 5,631,948 (column 16, lines 5-25).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Simon Sing whose telephone number is 571-272-7545. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached at 571-272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

/Simon Sing/ Primary Examiner, Art Unit 2614